THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 16386 of 1997

Dated: 14-11-2006

Between:

G.Raja Ram

..... PETITIONER

AND

The Chairman, Sanatorium Local Authority,
Chittoor District and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 16386 of 1997

O R D E R:

This writ petition is filed aggrieved by the order passed by the first respondent dated 11-07-1997 cancelling the licence issued to the petitioner for running a medical shop.

It is primarily contended by the petitioner that the 1st respondent has no authority to cancel the licence issued by the 3rd respondent under the provisions of the Drugs and Cosmetics Rules, 1945. It is also contended that the impugned order, which was passed without any prior notice is in violation of the principles of natural justice and therefore liable to be set aside on that ground alone.

Though a counter affidavit has been filed by the third respondent, despite service of notice, the respondents 1 and 2 did not appear and no counter is filed contradicting the allegations made by the petitioner.

This Court, while directing Rule nisi, granted interim direction suspending the impugned order of cancellation, and making it clear that the same would not preclude the respondents from taking appropriate action in accordance with law, if the petitioner is found to be doing his business contrary to the terms and conditions of the licence or committing any irregularities as such.

In view of the said order, no further enquiry is necessary and the Writ Petition is accordingly disposed of setting aside the impugned order and leaving it open to the respondents to take appropriate action following due process of law in case necessity thereof arises. No costs.

G. ROHINI, J

Dated: 14-11-2006
KLP